

Reply from FCC, Detroit Office

January 25, 1994

Gerald V. Wootton
487 North Revere Road
Akron, Ohio 44333

Control No.: 94-DT-1153

Dear Mr. Wootton:

TO SPEED OUR REPLY

We are using this informal way to expedite our response. Please refer to the item(s) checked below.

- ☐ The enclosed material should respond to your inquiry. Any further questions you may have should be directed to the above address.
- ☐ The information you have requested cannot be handled by this office. Any additional correspondence regarding this matter should be forwarded directly to the address below:

☒ Your correspondence has been forwarded to:

Federal Communications Commission
Complaints & Investigations Branch
Cable Branch
2025 "M" Street, N/W - Room 8210
Stop Code 1800C1
Washington, D. C. 20554

Sincerely,



Constance D. Rodgers
Public Affairs Specialist

CDR/bb

Enclosure

SONY

Sony Electronics Inc., Law Department
1 Sony Drive, Park Ridge, New Jersey 07656-8003 Telephone (201) 930-1000 Fax (201) 358-4059

January 28, 1994

Gerald V. Wooton
487 N. Revere Road
Akron, OH 44333-3907

Dear Mr. Wooton:

Thank you for your letter dated January 19, 1994 and your interest in Sony. We appreciate you sending us the information and have forwarded your letter to the appropriate marketing people for follow up and handling.

Very truly yours,


Audrey Hirschfeld
Legal Assistant

**Mitsubishi Electric Corporation
of America**

Panasonic Technics Quasar

**One Panasonic Way
Secaucus, New Jersey 07094
201.348.7000**

Executive Offices

February 24, 1994

**Gerald V. Wootton
487 N. Revere Rd.
Akron, OH 44333-3907**

Dear Mr. Wootton:


This will serve to acknowledge your most recent correspondence to our executive offices.

Your patronage as a satisfied customer is valued, and we do apologize for any inconvenience this matter has caused you. Please allow us to briefly comment on this situation.

In these technologically advanced times, the use of digital technology will become more and more prevalent. We as the manufacturer have no control over new innovations, such as digital circuitry; however we try to maintain compatibility with approximately 181 cable channels.

We do regret the inconvenience that you have encountered and thank you for giving us the opportunity to comment on this matter.

Very truly yours,


**Olga Alvarez
Executive Assistant
(201) 392-6101**

OA/lls

CSC Ref. # 9401244928

My Metzenbaum Letter -

2793-7

Copies Mailed To The Following Addresses:

DOCKET FILE COPY ORIGINAL

U.S. Congressman Tom Sawyer	411 Wolf Ledges Parkway	Akron, OH 44311
Mayor Peter Kostoff City of Fairlawn	3487 S. Smith Rd.	Fairlawn, OH 44333
Mayor Donald L. Robart City of Cuyahoga Falls	2310 2nd St.	Cuyahoga Falls, OH 44221
Mayor Donald L. Plusquelic City of Akron	166 S. High St.	Akron, OH 44308
Mark Williamson, News Director WAKC-TV23	853 Copley Rd.	Akron, OH 44320
News Director, WAKR	1735 S. Hawkins Ave.	Akron, OH 44320
News Director, WBNX TV55	2690 State Rd.	Cuyahoga Falls, OH 44223
Managing Director Better Business Bureau of Akron, Inc.	222 W. Market St.	Akron, OH 44303
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U.S. Senator John Glenn	503 Hart Building	Washington, D.C. 20510
Mr. Richard Snader Fairlawn City Councilman, Ward 6	2467 Abbingdon	Fairlawn, OH 44333
Regional Director Federal Communications Commission	24897 Hathaway St.	Farmington Hills, MI 48331-4361
Mr. David Samuelson General Manager-Editor West Side Leader	190 N. Union St. - Suite 401	Akron, OH 44304
Ms. Mari Ross Contributing Editor West Side Leader	190 N. Union St. - Suite 401	Akron, OH 44304
News Director WEAO/WNEO TV 45/59	P.O. Box 5191 1750 Campus Center Dr.	Kent, OH 44240-5191
News Director - CNBC	2200 Fletcher Ave.	Fort Lee, NJ 07024

News Director - C-Span, C-Span II	Suite 650 400 N. Capitol St.	Washington, D.C. 20001
Ohio State Senator Roy L. Ray	State House Annex	Columbus, OH 43266-0604
Ohio State Rep. Karen Doty	Ohio House of Representatives 77 S. High St. - 11th Floor	Columbus, OH 43266-0603
Director, Ohio Regional Development Board	1-Cascade Plaza	Akron, OH 44308
North American Phillips Corp. - Executive Vice President - Customer Affairs	100 E. 42nd St.	New York, NY 10017
RCA Corporation -Executive Vice President - Customer Affairs, Consumer Electronics Division	600 N. Sherman Dr., P.O. Box 1976	Indianapolis, Indiana 46206
Panasonic Company - Executive Vice President - Customer Affairs	1 Panasonic Way	Secacus, NJ 07094
Samsung Electronics America, Inc. - Executive Vice President - Customer Affairs	801 Mayhill Street 105 Challenger Rd. Ridge Park, NJ 07662	Saddle Brook, NJ 07662
Sony Corporation - Executive Vice President - Customer Affairs	Sony Drive	Park Ridge, NJ 07656
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Managing Editor - Local News Canton Repository	500 Market Ave. South	Canton, OH 44702
Managing Director - TV Affairs Federal Communications Commission	1919 M St., NW	Washington, D.C. 20554
State of Ohio Attorney General's Office Consumer Complaints Division	30 E. Broad St.	Columbus, OH 43215

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Managing Director Discovery Channel	770 Wisconsin Ave	Bethesda, MD 20814
Managing Director American Movie Classics	150 Crossways Park, West	Woodbury, NJ 11797-2051
Managing Director WTBS-TV	1050 Techwood Drive, NW	Atlanta, GA 30318-5604
Managing Director Turner Network Television	1 CNN Center 100 International Blvd.	Atlanta, GA 30348
Managing Director CNN-TV	1 CNN Center 100 International Blvd.	Atlanta, GA 30348
Black Entertainment TV	1232 31st Street, NW	Washington, D.C. 20007-3496
Managing Director USA Network TV	1230 Avenue of the Americas	New York, NY 10020-1500
Managing Director ESPN Network TV	ESPN Plaza	Bristol, CT 06010
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Mayor Donald J. Caughlin	3760 Darrow Rd.	Stow, OH 44224
Mayor Paul A. Warzinski	46 North Ave.	Tallmadge, OH 44278

487 N. Revere Rd.
Akron, Ohio 44333-3907

*Original letter to ET 93-7
US Sen. Metzenbaum -
Further distribution per
attached list,*

January 11, 1994

DOCKET FILE COPY ORIGINAL

U. S. Senator Howard M. Metzenbaum
140 Russell Building
Washington, D.C. 20510

Subject: Warner Cable of Akron, Ohio, Service Change

Dear Senator Metzenbaum,

You have expressed serious concerns about possible monopolies developing in the telecommunications industry. Take a look at what Warner Cable, operating under exclusive municipal franchises in the greater Akron, Ohio area, will dump on its subscribers over the next 6 months. I reference the attached Warner Cable letter, in response to my telephoned protest to them, and related information gleaned from other reliable sources.

Warner Cable has announced that they will scramble all channels above 14 and lease Pioneer BA-9000 home terminal unscrambler boxes at \$3.60/mo. to restore this service. What they are not disclosing - and do not want to discuss - is that the Pioneer box can only process one scrambled channel at a time, and this will disable all customers' cable-ready receivers - TV's and VCR's alike - forcing them to lease a separate box for each receiver to regain full functionality.

Unbelievable? You bet - but true! Rip-off? I think so! Cable rates will increase dramatically - 50% and more for some (60% for me). With little information available, subscribers will not realize the impact until it hits. Warner Cable has told me that by law they have no obligation to say anything sooner than 30 days ahead of changing any customer's service. By then, it will be too late.

How Warner Cable can get away with fouling up equipment systems, which manufacturers have invested large sums to develop and we as customers have paid premium prices to buy, is beyond me! And what's more, how they would be permitted to scramble public information channels C-Span and C-Span 2, I fail to understand. Even the U.S. Congress can't do that!

Why is Warner Cable making this change and why this way? I am told it may have something to do with cable piracy - or it may be something else. Installing fiber cable has nothing to do with scrambling channels. Primarily it is to increase transmitting capacity and efficiency. Claims for improved picture quality are tenuous. One does not need to be an electronics expert to realize that picture quality is primarily determined by the quality of the receiver, how it is adjusted, the eyesight of the viewer, and when he last cleaned his glasses.

Regardless, there is much better technology available to handle Warner Cable's concerns - whatever they are. It is termed the "interdiction system". It is user-friendly, requires no descrambler boxes or other encumbrances, and is fully compatible with cable-ready receivers. I understand that Cablevision, Inc., is planning to use it in neighboring Bath, Ohio. The basic premise of this is that scrambling is to be limited to premium service (pay per view, HBO, etc.). Cable-ready systems are not to be disrupted. I believe the FCC holds strongly with this position.

It appears to me that Warner Cable's scheme is to circumvent rate regulations recently enacted by the U.S. Congress by going into the mandatory box leasing business. This possibility is well stated in the enclosed Pioneer advertisement: "...Pioneer knows the importance of a secure revenue stream, as well as the advantage of revenue enhancing options..."

Warner Cable operates under exclusive franchises in the several municipalities they serve. Franchise fees ranging from 3% to 5% are paid by subscribers. Why it is not the other way around, with Warner paying for exclusive rights out of net profits, I don't understand. In any case, Warner has told me that protected by this exclusivity, they will do as they please and I have no other choice, except to cancel their service and use an antenna. This would leave me with no means to receive informative programs including C-Span, CNBC, CNN, etc.

I seriously question whether Warner's attitude can be construed in any way as being in context with its franchise covenants. Surely, the FCC is not in sympathy with it. And - if this is reflective of what's ahead on the highly touted "information superhighway", I want no part of it, and I am heading for the nearest exit ramp.

In closing, I appeal to you, sir, for any help you can bring to bear to get this matter fully aired now. Certainly Warner Cable should be restrained until the general public has full knowledge of all the facts and approves of the change. I will send copies of this letter to the FCC, news media, and others for help, also, per the attached list.

Like you, I am an older man. It has occurred to me that, with their different agenda, a better approach might be to leave it alone and let the younger ones sort it all out in their time - but I don't want either them or me to get screwed in the process.

Thank you for your consideration of this problem.

Sincerely Yours,

Gerald V. Wootton
(216) 864-0797

Attachments: (5)



WARNER CABLE

Northeast Ohio Division
1655 Brittain Road
Akron, Ohio 44310-3998
(216) 633-9203

December 29, 1993

Mr. G. Wootton
487 N. Revere Road
Fairlawn, Ohio 44333

Dear Mr. Wootton:

I understand your interest in our very exciting changes slated to occur throughout 1994.

As you may be aware, in the past year, we have been building fiber optic cable in all the neighborhoods we service around the greater Akron area. This upgrade allows us to deliver you a more reliable signal, improved picture quality, and an increased number of channels for your viewing pleasure. Along with this change in the way we deliver our signals, comes a change in the in-home equipment required to receive those services above the Basic Tier level. If you subscribe to the Satellite Tier, any A La Carte Services or any Premium Services, you will need a home terminal to continue receiving these services. The home terminal offers features such as an on-screen channel-line-up, on-screen programming guide, volume control, parental control by code, and other improvements over our current converter equipment. Our new in-home terminal will be installed personally by a Warner Cable representative when the time comes to upgrade your neighborhood. Based on our community by community efforts, we are scheduled to be in your community July - September of 1994. Rest assured however, we will notify you in advance to building new cable or marketing new services in your area.

For your information, I've enclosed our rate information (as of December 29, 1993), effective for customers in the completed upgrade areas, as well as the new channel line-up for those completed areas.

Please stay tuned and stay excited as we continue to bring this new technology and new service to all our communities. Warner Cable is proud to bring the future of television home to Greater Akron...today!

Sincerely,

Avis J. Boyd
Director, Community Relations

Enclosure

a helpful guide to
your akron-warner cable service



WARNER CABLE

Great Performances. Every Day.

For Your Information.

Effective January 24, 1994

UG

Billing Questions:

633-1839

Monday - Friday: 8:30am - 9:00pm

Saturday: 8:30am - 6:00pm

Account Balance Inquiry:

633-7585

New Service or Changes of Service:

633-9044

Monday - Friday: 8:30am - 9:00pm

Saturday: 9:00am - 1:00pm

Repair Service:

633-1875 24 Hours a Day

Pay Per View Ordering Information:

Touchtone Phone: 633-1234

Rotary Phone: 633-1839

Movie Prices: \$3.95

Channel Positions: 51, 52, 62, 63, 64

Previews and Ordering Information: Channel 50

TDD Line for the Hearing Impaired:

1-800-232-0833

Office Lobby Hours:

1655 Brittain Rd, Akron

Monday - Friday: 8:30am - 7:00pm

Saturday: 8:30am - 5:00pm

Greater Akron Area Monthly Rates

Service		Franchise Fees	
Basic Service:	\$ 8.75	Akron	5.0%
Standard Tier Service:	\$11.44	Barberton	5.0%
People's Choice Package	\$ 2.31	Cuyahoga Falls	5.0%
(WTBS, The Discovery Channel, American Movie Classics)		Daylesstown	3.0%
A La Carte (\$1.15/each)		Fairlawn	5.0%
Expanded Package:	\$ 2.95	Mogadore	3.0%
A La Carte (\$.48/each)		Munroe Falls	3.0%
Additional Outlets:	No Charge	Norton	3.0%
Premium Service(s)		Silver Lake	3.0%
on additional outlets:	\$4.95/month	Stow	5.8%
		Tallmadge	5.0%
Premium Channels		Premium Service Packages	
HBO:	\$12.55	Any Two Premium Services	\$22.90
Cinemax:	\$12.55	Any Three Premium Services	\$33.05
Showtime:	\$12.55	Any Four Premium Services	\$41.45
The Movie Channel:	\$12.55	All Five Premium Services	\$50.90
The Disney Channel:	\$11.50		
In-House Amplifiers:	\$46.17*	Installation	Call For Details
TV Guide:	\$ 2.99/month	Service Calls	To Be Announced
		(Charges may apply for non-cable related service calls or excessive wear to Warner Cable owned equipment)	
Monthly Equipment			
In-Home Terminal:	\$3.45		
Remote Control:	\$.15/each*		

*Plus tax

"Ask About Our Special Cleveland Cavaliers And Cleveland Indians Packages"



WARNER CABLE

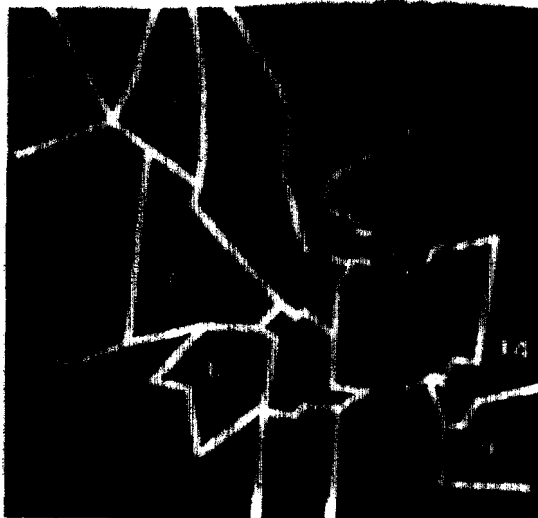
Great Performances. Every Day

Warner Cable Channel Line-Up

Effective January 24, 1994. Channels subject to change.

	Pos.	Programming		Pos.	Programming	UG
Basic Tier	2	WKYC/NBC - CH 3	A La Carte	35	Discovery	
	3	WDLI/IND - CH 17		36	American Movie Classics	
	4	WAKC/ABC - CH 23		37	WTBS	
	5	WVIZ/PBS - CH 25	Expanded A La Carte	38	WGN	
	6	WUAB/IND - CH 43		39	ESPN2	
	7	Warner Video Pages/Community Access		40	Comedy	
	8	WBNX/IND - CH 55		41	The Cartoon Channel	
	9	WJW/CBS - CH 8		42	EI	
	10	WEAO/PBS - CH 45		43	Country Music Television	
	11	WEWS/ABC - CH 5		44	The Learning Channel	
	12	WOAC/IND - CH 67		45	Bravo	
	13	WOIO/FOX - CH 19		46	Court TV	
	14	QVC		47	C-SPAN II	
Satellite Tier	15	Black Entertainment Television		48	VISN	
	16	VH - 1		49	Local Programming	
	17	Consumer News & Business	Optional	50	Pay Per View Previews	
	18	Headline News		51	Pay Per View 1	
	19	USA		52	Pay Per View 2	
	20	Nickelodeon		53	The Movie Channel	
	21	CNN		54	Cinemax	
	22	Lifetime		55	The Disney Channel	
	23	MTV		56	Showtime	
	24	ESPN		57	Home Box Office	
	25	TNT		58	Home Box Office 2	
	26	Arts & Entertainment		59	Home Box Office 3	
	27	The Family Channel		60	Showtime 2	
	28	The Weather Channel		61	FLIX	
	29	The Nashville Network		62	Pay Per View 3	
	30	SportsChannel Ohio		63	Pay Per View 4	
	31	C-SPAN I		64	Pay Per View 5	

GREATER AKRON AREA UPGRADE
Warner Cable
A Time Warner Entertainment Company



RELEASE AREA	COMMUNITY BOUNDARIES	HOMES PASSED	MARKETING ACTIVITIES COMPLETE
1.	Howe Ave./North St. Brittain Rd./Main St.	5,838	Feb. 94
2.	North/I-76 Route 59/Brittain Rd.	8,426	Feb. 94
3.	Exchange St./Steiner Ave. Rt. 59/Rt. 8	2,676	Mar. 94
4.	Akron Peninsula Rd/Exchange St. Portage Path/Downtown Akron	7,383	Mar. 94
5.	Cuyahoga Falls Ave./Cuyahoga River Furnace St./Main St.	6,626	Apr. 94
6.	Steiner Ave./Rt. 224 S. Main St/I-77	6,883	Apr. 94
7.	I-76/Rt. 224 I-77/Hillbush Ave.	8,520	May 94
8.	Wooster Ave./East Ave. Manchester Rd.	8,577	May 94
9.	W. Market St./Frank Blvd. Greenwood Ave./Wooster Ave.	5,277	May 94
10.	Exchange/Opportunity Parkway Wooster Ave./Greenwood Ave.	9,270	Jun. 94
11.	Frank Blvd./Hawkins Ave.	2,351	Jun. 94
12.	Hawkins Ave./W. Market St. N. Portage Path	4,123	Jun. 94
13.	Kenmore Blvd./Manchester Rd. Bartges St./Firestone Parkway	5,081	Jun. 94
14.	I-76/Brittain Rd. Eastwood Ave.	5,904	Jul. 94
16.	Rt. 76/Seiberling St. Triplett Blvd.	6,699	Jul. 94
15.	N. Hawkins Ave./Sand Run Parkway with Fairlawn	7,000	Jul. 94



HOW TO GIVE THE RIGHT PEOPLE THE WRONG SIGNALS.

As a cable operator, you want to give your subscribers the best picture and programming. But you don't want to give anything away.

That's why the Pioneer BA-9000 addressable converter provides line-by-line *digital signal security* coupled with Dynamic Picture Shift (DPS) encoding.

An established leader in cable system security, Pioneer knows the importance of a secure revenue stream, as well as the value of revenue enhancing options like Near-

Video-On-Demand. You'll find they're a valuable part of the BA-9000, along with *icon-driven on-screen menuing, backwards compatibility* and a *future expansion port*. So give your revenue stream and yourself a feeling of security by calling Pioneer - the right people to help you send the wrong signals.



©1993 Pioneer New Media Technologies, Inc., Business Systems Division, 600 E. Crescent Ave., Upper Saddle River, N.J. 07458-1827, (201) 327-6400

Circle Reader Service No. 12

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ET 93-7

487 N. Revere Rd.
Akron, OH 44333-3907
3-12-94

Mr. Frank Stillwell
FCC
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

Dear Mr. Stillwell -

I enclose the package of information on the Warner Cable of Akron problem we have discussed by phone. Believe me - I and many others sincerely appreciate your interest to help overcome this extremely aggravating and unfair burden (costly, too) which is being placed on Warner Cable subscribers in NE Ohio. There are several hundred thousand of us, so you can see, the stakes are high - and we being small and not well equipped - need all the help we can get.

Basically what we are saying is we do not want our present broad band service to be upset, TV entertainment systems disabled and in various ways disrupted, and cable costs (for the same service)

dramatically increased just so that Warner Cable can expand its capability and service capacity. We say all of this should be borne and paid for by those who will benefit - the provider and the user of the expanded services - not us who don't need it and don't want it!

I urgently appeal to you, the FCC and the US Congress to ^{solve this problem} ~~do so~~. If you can't or don't - I don't know who can or what else to do. Obviously Warner doesn't care - and based on the great lack of response to my broadly spread correspondence - others both inside and outside the industry must be dumbfounded by the whole situation or again don't know what to do. Please get us out of this!

Sincerely yours

Gerald V. Waatter
(216) 864-0797

DOCUMENT OFF-LINE

This page has been substituted for one of the following:

o An oversize page or document (such as a map) which was too large to be scanned into the RIPS system.

o Microfilm, microform, certain photographs or videotape.

o Other materials which, for one reason or another, could not be scanned into the RIPS system.

The actual document, page(s) or materials may be reviewed by contacting an Information Technician. Please note the applicable docket or rulemaking number, document type and any other relevant information about the document in order to ensure speedy retrieval by the Information Technician.

Video Tape - Akron, OH